REMARKS

Status of the Claims

Claims 1, 2, 4-8 and 11 are pending, with Claims 1 and 8 being independent. Claim 3 has been canceled without prejudice to or disclaimer of the subject matter recited therein. Claims 1, 2, 4 and 6-8 have been amended. Claim 11 has been added. Support for the new claim and claim changes can be found in the original disclosure, for example, in Figures 3, and 12-17 and the accompanying description, and more specifically, in Figure 15 and at paragraphs [0059] - [0065] of the published version of the application, U.S. Patent Publication No. 2004/0196383 and therefore no new matter has been added.

Requested Action

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejections in view of the foregoing amendments and the following remarks.

Claim Rejections

Claims 1-6 and 8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0090750 (Takahashi) in view of U.S. Patent No. 6,862,039 (Shimizu), U.S. Patent No. 5,146,323 (Kobori), and U.S. Patent Publication No. 2003/0169348 (Ikeda). Claim 7 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of Shimizu, Kobori Ikeda, and U.S. Patent No. 7,133,070 (Wheeler).

In response, while not conceding the propriety of the rejections, independent Claims 1 and 8 have been amended. Applicants submit that as amended, these claims are allowable for the following reasons.

Independent Claim 1 relates to an image pickup device comprising an imaging device, an instruction unit that instructs the selection of a given chromatic color area on a photography screen, a storage unit, a selection unit, and a white balance processing unit. The white balance processing unit specifies a color detection range of a skin color on the basis of the selection result by said selection unit, and conducts white balance processing in accordance with a white balance coefficient that corresponds to a color temperature of the light source obtained on the basis of the specified color detection range and an output signal of the imaging device representing a parameter of the selected given chromatic color area.

Claim 1 has been amended to recite that the storage unit stores a preset color detection range for a first person's skin color and an additional color detection range for a second person's skin color which is additionally set by a user's operation.

Claim 1 has been amended to recite that the selection unit selects one of the first and second persons' skin colors.

In addition, Claim 1 has been amended to recite a user interface unit that allows a user to adjust the additional color detection range on a color space.

In contrast, the citations to Takahashi, Shimizu, Kobori, and Ikeda are not understood to disclose or suggest a storage unit that stores a preset color detection range for a first person's skin color and an additional color detection range for a second person's skin color which is additionally set by a user's operation, and a user interface unit that

allows a user to adjust the additional color detection range on a color space, as recited by amended Claim 1. Rather, the citation to Takahashi is understood to disclose a white balance correction method including consideration of skin color, the citation to Shimizu is understood to disclose providing, on a monitor, a guide for color tone adjustment, the citation to Kobori is understood to disclose that a plurality of skin color reference signal generators 1106 generates reference signals and that a desired reference value of the operator can be selected by a switch 1105 to assist in performing white balance adjustment, and the citation to Ikeda is understood to disclose to adjust the white balance on the basis of first and second color temperatures calculated from an image signal within white and chromatic color detection ranges, respectively.

Since amended Claim 1 is understood to recite at least one feature not understood to be disclosed or suggested by the citations to Takahashi, Shimizu, Kobori, and Ikeda, Applicants submit that the Office has not yet satisfied its burden of proof to establish a prima facie case of obviousness against amended Claim 1 over these citations. Therefore, Applicants respectfully request that the rejection of amended Claim 1 be withdrawn. And since corresponding method Claim 8 has been amended in a corresponding manner, it is submitted to be allowable over these citations for corresponding reasons. Therefore, Applicants respectfully request that the rejection of amended Claim 8 be withdrawn.

The dependent claims are also submitted to be patentable, due to their dependency from the independent base claims, as well as due to additional features that are recited. Individual consideration of the dependent claims is respectfully solicited.

Conclusion

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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